



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

STEPHEN PUTNEY SHOE CO. *v.* RICHMOND, F. & P. R. CO.

Jan. 16, 1919.

[98 S. E. 11.]

**1. Appeal and Error (§ 1097 (1)\*)—Former Appeal—Law of Case.**—A matter fixed by a decree which has been affirmed upon a former hearing has become the law of the case, and cannot be reopened, upon subsequent appeal.

[Ed. Note.—For other cases, see 1 Va.-W. Va. Enc. Dig. 651.]

**2. Railroads (§ 72 (1)\*)—Deeds—Construction.**—In a suit between a shoe company and a railroad company regarding tracks to former's factory, a deed from their common grantor held to contemplate use of locomotives, and to entitle shoe company to tracks over which cars could be operated for a customary distance from plaintiff's factory, but not for the entire length of track, by pinch bars.

[Ed. Note.—For other cases, see 4 Va.-W. Va. Enc. Dig. 419, 455.]

**3. Appeal and Error (§ 1194 (2)\*)—Former Appeal—Law of Case—Decree—Consideration.**—A decree granting to defendant the right to permit vehicles to pass over a strip upon which plaintiff had an easement construed as in violation of an appellate judgment reversing a former decree permitting defendant to open said strip for public driveway.

[Ed. Note.—For other cases, see 1 Va.-W. Va. Enc. Dig. 651.]

**4. Easements (§ 58 (1)\*)—Dominant Estate—Interference with Use.**—The proposed opening for driveway purposes of a strip over which plaintiff had an easement held to conflict with the dominant right of use.

Appeal from Circuit Court, Henrico County.

Suit by the Stephen Putney Shoe Company against the Richmond, Fredericksburg & Potomac Railroad Company. From a decree therein the former appealed, and the case was affirmed in part and reversed and rendered in part, and subsequently the railroad company filed its petition to reinstate in the circuit court, and the Putney Company filed answer, and appeals from a decree rendered. Decree amended and affirmed.

*S. A. Anderson* and *A. G. Collins*, both of Richmond, for appellant.

*John S. Eggleston*, of Richmond, for appellee.

---

\*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.